

# The Commonwealth of Massachusetts

## DEPARTMENT OF PUBLIC UTILITIES

### **NOTICE OF FILING AND RESCHEDULED PUBLIC HEARING (FALL RIVER)**

D.P.U. 25-85

September 26, 2025

Petition of Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty, pursuant to G.L. c. 164, § 94 and 220 CMR 5.00 for Approval of a General Increase in Base Distribution Rates for Gas Service and a Performance-Based Ratemaking Plan.

On June 13, 2025, Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty ("Company" or "Liberty") filed a petition with the Department of Public Utilities ("Department") for an increase in gas base distribution rates. The Department has docketed this matter as D.P.U. 25-85 and has suspended the effective date of the proposed rate increase until May 1, 2026, to investigate the propriety of the Company's request. Liberty was last granted an increase in base distribution rates through an approved settlement in Liberty Utilities (New England Natural Gas Company) Corp., D.P.U. 15-75 (2016).

Liberty seeks to increase its gas base distribution rates to generate approximately \$55.8 million in additional revenues. Liberty states that the proposed requested increase includes the transfer of capital investments made from 2015 through 2024 as part of the Company's gas system enhancement program to base distribution rates. According to the Company, the net effect of the request is expected to be a 55.5 percent rate increase, on average, across all customers on a total bill basis, and an increase of approximately 45.0 percent in total operating revenues. The proposed base distribution rate increase is in addition to changes in other rates, such as reconciling mechanism rates, that occur during the year. Liberty states that its cost of service and revenue deficiency reflects the Company's acquisition of Blackstone Gas Company in 2020, and the Company's filing addresses the recovery of integration costs and other issues related to that acquisition. Liberty also seeks to recover, through an existing reconciling mechanism and over a five-year period, approximately \$50 million (inclusive of interest), representing the balance of deferred, unrecovered, previously authorized gas system enhancement program-related revenue requirements. The Company proposes to begin recovering the interest associated with the deferral balance on June 1, 2026, but to delay beginning recovery of the deferral balance until July 1, 2027.

As part of its filing, Liberty proposes to implement a performance-based ratemaking ("PBR") plan, which would allow the Company to adjust its base distribution rates on an annual basis through a mathematical formula using a revenue cap benchmark. The Company proposes to implement the PBR plan for a term of five years. During the PBR term, the formula increases base distribution revenues by the rate of inflation up to a five percent cap and includes components to account for the typical increase in customer base, recover or return exogenous

costs outside of the Company's control, and share excessive earnings. Further, Liberty proposes several individual performance metrics to gauge the Company's progress on its PBR commitments.

The Company's filing also includes depreciation-related proposals and proposed adjustments to certain revenue and expense categories, as well as the recovery of capital investments made in 2025 and certain information technology costs. Further, the Company proposes a one-time adjustment to revenue, to be made in the 2028 annual PBR adjustment filing, to account for the revenue requirement associated with investments the Company will make in 2026 and 2027 to implement pipeline safety regulations. The Company also proposes to retain certain reconciling mechanisms, establish new reconciling mechanisms, and to modify its policy for contributions in aid of construction. Liberty's filing also addresses the Company's relocation of its headquarters and the associated purchase and sale of land.

Further, Liberty's filing includes various rate design proposals, including equalizing the base distribution rates for the Blackstone Gas Company service area with the Fall River and North Attleboro service areas, increasing certain customer charges, maintaining the current low-income total bill discount of 25 percent, and revising tariffs to implement the proposals in this proceeding.

The foregoing is not intended to be an exhaustive list of issues set forth in the Company's filing. Additional information regarding the foregoing proposals, and all other proposals set forth by Liberty, can be found in the Company's filing, which is located on the Department's website as noted below.

Liberty customers in the Fall River/North Attleboro and Blackstone service areas who are in the same rate class currently pay the same base rate for that class for gas distribution service. Other reconciling charges for each rate class may differ by service area. Liberty provides that if its petition is approved as requested customers can expect the following bill impacts, effective May 1, 2026:

**For Fall River/Attleboro area residential customers:**

- A residential heating customer in the Fall River/North Attleboro service area, receiving service under Rate R-3, that uses on average 100 therms of gas per month during the winter season will experience a monthly bill increase of approximately \$78.86 (an approximate 37.0 percent increase in current rates);
- A residential non-heating customer in the Fall River/North Attleboro service area, receiving service under Rate R-1, that uses on average 21 therms of gas per month during the winter season will experience a monthly bill increase of approximately \$44.50 (an approximate 80.9 percent increase in current rates);
- A residential low-income heating customer in the Fall River/North Attleboro service area, receiving service under Rate R-4, that uses on average 100 therms of gas per month during the winter season will experience a monthly bill increase of approximately \$59.15 (an approximate 37.0 percent increase in current rates); and

- A residential low-income non-heating customer in the Fall River/North Attleboro service area, receiving service under Rate R-2, that uses on average 21 therms of gas per month during the winter season will experience a monthly bill increase of approximately \$33.38 (an approximate 80.9 percent increase in current rates).

**For Commercial and Industrial (“C&I”) customers:**

Commercial and industrial (“C&I”) customers can expect bill impacts to vary depending on usage and rate class. The Company provides that:

- The average monthly bill impact for small C&I customers in the Fall River/North Attleboro service, at each class’s average use, will range from an approximate increase of between 43.0 percent and 49.7 percent;
- The average monthly bill impact for medium C&I customers in the Fall River/North Attleboro service area, at each class’s average use, will range from an approximate increase of between 23.6 percent and 34.4 percent; and
- The average monthly bill impacts for large C&I customers in the Fall River/North Attleboro service area will range from an approximate increase of between 1.1 percent and 19.2 percent.

C&I customers should contact the Company, as indicated below, for specific bill impacts.

Liberty states that additional, less significant bill increases are expected in May 2027 to account for changes in the Company’s gas adjustment factor and local distribution adjustment factor. Additional bill impact information and additional detail about the filing can be found at: <https://mass.gov/info-details/liberty-utilities-2025-gas-base-distribution-rate-case>.

The Attorney General of the Commonwealth of Massachusetts (“Attorney General”) has filed a notice of intervention in this matter pursuant to G.L. c. 12, § 11E(a). Further, pursuant to G.L. c. 12, § 11E(b), the Attorney General has filed a notice of retention of experts and consultants to assist in her investigation of the Company’s filing and has requested Department approval to spend up to \$300,000.00 in this regard. Pursuant to G.L. c. 12, § 11E(b), the costs incurred by the Attorney General relative to her retention of experts and consultants may be recovered in the Company’s rates.

On July 9, 2025, the Department issued a Notice of Filing and Public Hearings and scheduled three in-person public hearings across Massachusetts and one public hearing over Zoom. One of the in-person public hearings was scheduled for October 3, 2025, beginning at 7:00 p.m. at B.M.C. Durfee High School, Nagle Auditorium, 460 Elsbree Street, Fall River, Massachusetts 02720. The hearing was postponed due to scheduling conflicts.

**For purposes of rescheduling the Fall River hearing, the Department will conduct an in-person public hearing on October 14, 2025, beginning at 7:00 p.m., in room 101, Building L, Bristol Community College, 777 Elsbree Street, Fall River, MA 02720.** Interpretation services (Spanish, Portuguese, Khmer) will be available at the in-person public hearing.

Any person interested in commenting on this matter may submit written comments no later than the close of business (5:00 p.m.) on **October 15, 2025**. Written comments from the public may be sent by email to [dpu.efiling@mass.gov](mailto:dpu.efiling@mass.gov) and [DPU2585.LibertyRateCase@mass.gov](mailto:DPU2585.LibertyRateCase@mass.gov), and the Company's attorneys: Kevin Penders, Esq.; Molly Karg Agostinelli, Esq.; Joseph Kelly, Esq.; and Ronald J. Ritchie, Esq.; at [kpenders@keeganwerlin.com](mailto:kpenders@keeganwerlin.com), [MAgostinelli@keeganwerlin.com](mailto:MAgostinelli@keeganwerlin.com), [jkelley@keeganwerlin.com](mailto:jkelley@keeganwerlin.com), and [r.j.ritchie@libertyutilities.com](mailto:r.j.ritchie@libertyutilities.com), respectively. The text of the email should specify: (1) the docket number of the proceeding (D.P.U. 25-85); (2) the name of the person or company submitting the comments; and (3) a brief descriptive title of the document. **Please note that, in the interest of transparency, any comments will be posted to our website as received and without redacting personal information, such as addresses, telephone numbers, or email addresses. As such, consider the extent of information you wish to share when submitting comments.** The Department strongly encourages public comments to be submitted by email. If, however, a member of the public is unable to send written comments by email, a paper copy may be sent to Mark D. Marini, Secretary, Department of Public Utilities, One South Station, Boston, Massachusetts, 02110.

The Company's filing and all subsequent related documents submitted to the Department or issued by the Department will be posted on the Department's website through our online File Room as soon as practicable (enter "25-85") at <https://eeaonline.eea.state.ma.us/DPU/Fileroom/dockets/bynumber>. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), contact the Department's ADA coordinator at [eeadiversity@mass.gov](mailto:eeadiversity@mass.gov) or (617) 626-1282. For further information regarding the Company's filing, please contact the Company's attorneys, identified above. For further information regarding this Notice, please contact [DPU2585.LibertyRateCase@mass.gov](mailto:DPU2585.LibertyRateCase@mass.gov).

## Translation and Interpretation Services

### English

ATTENTION: Translation and/or interpretation services are available upon request. Please email Kaylee Burgess at [dpu.ej@mass.gov](mailto:dpu.ej@mass.gov) to request language services, specifying your preferred language and contact information.

### Português (Portuguese)

ATENÇÃO: Disponibilizamos nossos serviços de tradução e/ou interpretação de acordo com a sua demanda. Para solicitar um serviço linguístico, envie um e-mail para Kaylee Burgess através do endereço [dpu.ej@mass.gov](mailto:dpu.ej@mass.gov), informando o idioma desejado e seus dados para contato.

### 繁體中文 (Traditional Chinese)

提醒您：您可依照需求申請筆譯和/或口譯服務。請以電郵聯絡 Kaylee Burgess ([dpu.ej@mass.gov](mailto:dpu.ej@mass.gov)) 來申請語言服務請求，請在電郵內註明需要的語言和聯絡資訊。

### Tiếng Việt (Vietnamese)

LƯU Ý: Các dịch vụ biên dịch và/hoặc phiên dịch có sẵn theo yêu cầu. Vui lòng gửi email đến Kaylee Burgess theo địa chỉ [dpu.ej@mass.gov](mailto:dpu.ej@mass.gov) để yêu cầu dịch vụ ngôn ngữ, nêu rõ ngôn ngữ ưa thích của quý vị và thông tin liên lạc

### (Arabic) العربية

يرجى الانتباه: تتوفر خدمات الترجمة و/أو الترجمة الفورية عند الطلب. لطلب خدمات لغوية يرجى التواصل مع Kaylee Burgess بإرسال رسالة إلكترونية إلى العنوان [dpu.ej@mass.gov](mailto:dpu.ej@mass.gov)، تحدد فيها اللغة المفضلة لديك وتذكر معلومات الاتصال.

### ខ្មែរ (Khmer)

ជូនចំពោះ៖ សេវាកម្មប្រែក្លាយ និង/ឬបកប្រែផ្ទាល់ គឺមានតាមការស្នើសុំ។ សូមផ្ញើសុំមេលឲ្យ Kaylee Burgess តាម [dpu.ej@mass.gov](mailto:dpu.ej@mass.gov) ដើម្បីស្នើសុំសេវាកម្មប្រែក្លាយ ដោយបញ្ជាក់ភាសាដែលអ្នកចង់បាន និងព័ត៌មានទំនាក់ទំនង។

### Español (Spanish)

ATENCIÓN: Los servicios de traducción y/o interpretación están disponibles bajo solicitud. Por favor envíe un correo electrónico a Kaylee Burgess en [dpu.ej@mass.gov](mailto:dpu.ej@mass.gov) para solicitar los servicios de idiomas, especificando su idioma preferido e información de contacto.

### 简体中文 (Simplified Chinese)

提醒您：您可依需要申請提供筆譯和/或口譯服務。請發送電子郵件給 Kaylee Burgess ([dpu.ej@mass.gov](mailto:dpu.ej@mass.gov)) 來申請語言服務要求，並注明您的首選語言和聯繫信息。

### Kreyòl Ayisyen (Haitian Creole)

ATANSYON: Gen sèvis tradiksyon ak/oswa entèpretasyon ki disponib sou demann. Tanpri voye imèl bay Kaylee Burgess nan [dpu.ej@mass.gov](mailto:dpu.ej@mass.gov) pou mande sèvis lang, ki enfòm lang ou pi pito a ak enfòmasyon kontak ou.

### Français (French)

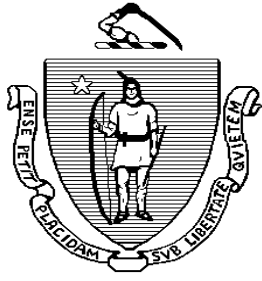
ATTENTION : Des services de traduction et/ou d'interprétation sont disponibles sur demande. Veuillez envoyer un e-mail à Kaylee Burgess à l'adresse [dpu.ej@mass.gov](mailto:dpu.ej@mass.gov) pour demander des services linguistiques, en précisant votre langue préférée et vos coordonnées.

### Русский (Russian)

ВНИМАНИЕ! Услуги письменного и/или устного перевода предоставляются по запросу. Для запроса услуг перевода обращайтесь к Kaylee Burgess по адресу [dpu.ej@mass.gov](mailto:dpu.ej@mass.gov). В запросе укажите язык перевода и контактную информацию.

### 한국어 (Korean)

주의: 요청 시 번역 및/또는 통역 서비스가 제공됩니다. Kaylee Burgess에게 [dpu.ej@mass.gov](mailto:dpu.ej@mass.gov)로 이메일을 보내 선호하는 언어와 연락처 정보를 명시하여 언어 서비스를 요청하십시오.



# The Commonwealth of Massachusetts

## DEPARTMENT OF PUBLIC UTILITIES

### ORDER OF NOTICE

D.P.U. 25-85

September 26, 2025

Petition of Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty, pursuant to G.L. c. 164, § 94 and 220 CMR 5.00 for Approval of a General Increase in Base Distribution Rates for Gas Service and a Performance-Based Ratemaking Plan.

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Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty ("Company") is required to:

- Publish the English language version of the attached legal notice approximately seven (7) days prior to **October 14, 2025** in: (1) The Boston Globe or Boston Herald; and (2) the Fall River Herald News. If the Fall River Herald News is limited print or online only, the Company shall publish the legal notice in the digital publication consistent with the foregoing deadlines but regardless shall effectuate at least one print publication at least seven (7) days prior to **October 14, 2025**.
- To the extent possible, publish the Spanish language version of the legal notice in the following newspapers approximately seven (7) days prior to **October 14, 2025**: (1) El Mundo; and (2) El Planeta. If either of these newspapers are limited print or online only, the Company shall publish the legal notice in the digital publication consistent with the foregoing deadlines but regardless shall effectuate at least one print publication at least seven (7) days prior to **October 14, 2025**.
- To the extent possible, publish the Portuguese language version of the legal notice approximately seven (7) days prior to **October 14, 2025** in the Brazilian Times. If this newspaper is limited print or online only, the Company shall publish the legal notice in the digital publication consistent with the foregoing deadlines but regardless shall effectuate at least one print publication at least seven (7) days prior to **October 14, 2025**.
- To the extent possible, publish the Khmer language version of the legal notice approximately seven (7) days prior to **October 14, 2025** in the Khmer Post USA. If this newspaper is limited print or online only, the Company shall publish the legal notice in the digital publication consistent with the foregoing deadlines but regardless shall effectuate at least one print publication at least seven (7) days prior to **October 14, 2025**.

Further, the Company shall serve a copy of each legal notice by mail or email no later than **September 29, 2025** to the service lists in: (1) New England Gas Company, D.P.U. 10-114 (2011); (2) Liberty Utilities (New England Natural Gas Company) Corp., D.P.U. 15-75 (2016); (3) Liberty Utilities (New England Natural Gas Company) Corp., D.P.U. 20-03 (2020); and (4) Liberty Utilities (New England Natural Gas Company) Corp., D.P.U. 24-GSEP-04 (pending). The Company shall serve a copy of each legal notice by mail or email approximately seven (7) days prior to **October 14, 2025** on: (1) the Mayors, the Chairmen of the Boards of Selectmen, the Town Clerks, and the City Clerks of Fall River, along with a request that a copy of the legal notices be posted in each city/town hall in the Company's service areas through at least **October 15, 2025**; and (2) any person who has filed a request for notice with the Company.

Also, within three business days of receipt of the attached legal notices, the Company shall place a copy of each legal notice on its website. In doing so, the Company is directed to conspicuously reference this base distribution rate filing on the home page of its website and provide a link to the legal notices. The attached legal notices shall be made available for viewing on the website through at least **October 15, 2025**.

Finally, the Company is required to provide notice of the public hearings (including specific dates, times, and locations) to customers through the following: (1) a bill insert that will be sent to customers in each customer's first billing cycle following the date of this Order of Notice; and (2) an email to all customers with email addresses on file with the Company, to be sent no later than seven (7) days prior to **October 14, 2025**. The Company shall also use other available forms of social media, as described in the External Communications Plan, to notify customers of the public hearings. On or before **October 15, 2025**, the Company shall provide the Department with return of service and proof of publication of the legal notices, to include the original clippings of the print newspaper publications. At the same time, the Company shall provide appropriate verification that the legal notices were made available for viewing on the Company's website according to this Order of Notice.

By Order of the Department,

/s/

Mark D. Marini, Secretary